

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SHELLEY M. FERNEAU,

Plaintiff,

V.

PAPPAS TELECASTING OF
CENTRAL NEBRASKA/PAPPAS
TELECASTING OF NEBRASKA,
INC.,

Defendant.

4:06CV3300

MEMORANDUM AND ORDER

This matter is before the court on Defendant's Motion to Extend Time to File Motion to Compel and Motion for Summary Judgment. (Filing No. 62.) In its motion, Defendant requests an extension of time until February 26, 2008 to file its motion to compel and supporting brief. Defendants state that the parties' efforts to resolve discovery disputes have been unsuccessful. Further, Defendant asks the court to extend the deadline for filing dispositive motions until after the court rules on Defendant's motion to compel and/or Plaintiff has provided full and complete discovery responses to Defendant. Defendant states that it cannot file its summary judgment motion and supporting brief until the outstanding discovery issues between the parties are resolved. The motion is granted and the Progression Order is modified as set forth below.

IT IS THEREFORE ORDERED that:

1. Defendant's Motion to Extend Time to File Motion to Compel and Motion for Summary Judgment (filing no. 62) is granted.

2. Motions to compel discovery shall be filed on or before **February 26, 2008**. The parties must comply with the provisions of NECivR 7.1(i) before filing a motion to compel.

3. Dispositive Motions. All dispositive motions shall be filed on or before **May 14, 2008**. The parties must comply with the provisions of NECivR 7.1(a-h) and NECivR 56.1 when filing summary judgment motions.

4. Pretrial Conference.

- a. Defense counsel will have the primary responsibility for drafting the Order on Final Pretrial Conference, pursuant to the format and requirements set out in NeCivR 16.2(a)(2). The plaintiff will be responsible for cooperating in the preparation and signing of the final version of the Order. The Order should be submitted to the plaintiff and to any other parties by **June 11, 2008**. The plaintiff shall provide additions and/or proposed deletions to Defense counsel by **June 25, 2008**. Defense counsel shall submit the Proposed Order on Final Pretrial Conference to the court by no later than **July 9, 2008**. If a party proposes an addition or deletion which is not agreed to by all the other parties, that fact should be noted in the text of the document. The Proposed Order on Final Pretrial Conference must be signed by all pro se parties and by counsel for all represented parties.
- b. The Final Pretrial Conference will be held before Magistrate Judge David L. Piester on **July 23, 2008 at 2:30 p.m.** Prior to the pretrial conference, all items as directed in NECivR 16.2 and full preparation shall have been completed so that trial may begin at any time following the Pretrial Conference.

- c. If a plaintiff is held in an institution, the pretrial conference will be by telephone. In that case, Defense counsel shall contact the plaintiff's institution in advance and arrange to initiate and place the conference call.

5. The trial date will be set by Magistrate Judge Piester at the time of the Final Pretrial Conference.

6. The Clerk of the court is directed to set a pro se case management deadline in this case using the following text: Pretrial conference before Magistrate Judge Piester to be held on **July 23, 2008**.

February 25, 2008.

BY THE COURT:

s/Richard G. Kopf

United States District Judge